P.R. No. 1674/06
Presented by Shri Pawan Kedhar Agrawal
dated 16/06/06

(3) (1)

IN THE HIGH COURT OF JUDICATURE CHHATTISGARH AT

BILASPUR

Single Bench

M.C.C. No. 319 / 2006

Appellant : Sanjay Agrawal Aged about 39 years
Defendant No.1 S/o Shri R.S.Agrawal, Partner M/s Agrawal Consultant and Engineers, 2/5 Nehru Nagar, Bhilai, Dist : Durg-(C.G.)

Versus

Respondent No.1 : 1. M/s Nawkar Construction
Plaintiff Partnership Firm, through – Partner Inderchand Dhariwal, R/o 45/4, Sadar Bazar, Raipur-(C.G.)

Respondent No.2 2. Alok Kumar, Proprietor Alok Kiraya
Defendant No.2 Bhandar, Shop No.26, Nawkar Bhawan, Choubey Colony, Swami Atmanand Ward, Raipur-(C.G.)

APPLICATION FOR RESTORATION OF THE FIRST APPEAL.NO.99/2006 DISMISSED IN DEFAULT ON 12.06.2006.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

M.C.C. No. 319
मामला क्रमांक ..... **सन् 2006**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

20.6.2006

Shri Kishore Bhaduri, counsel for applicant.

None for respondents.

Learned counsel for the applicant submits that on 12.6.2006, the appeal has been dismissed for non-appearance of appellant. He further submits that on that day, both the parties were absent, therefore, this matter can be heard without notice to respondents and can be decided. He prays that the matter be heard and decided.

Considered. Prayer allowed.

Heard.

Taking into account the grounds mentioned in the application duly supported with an affidavit, I am satisfied with the fact that there is sufficient ground for non-appearance of the appellant on 12.6.2006 when the appeal was called out for hearing.

Application is allowed.

First Appeal No. 99/2006 is restored to its original number. A copy of the order be kept in the records of the First Appeal.

Accordingly, M.C.C. No. 319/2006 stands disposed of.

Sd/-
V.K.Shrivastava
Judge